

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent No. : 6,573,099 C1 Serial No.: 09/100,812  
Issue Date : June 3, 2003 Filed : June 19, 1998  
  
Reexamination  
Certificate No.: 8071<sup>st</sup>  
  
Reexamination  
Certificate  
Issued : March 8, 2011  
  
Inventors : Michael Wayne Graham, Peter Michael Waterhouse, and Robert Norman Rice  
  
Patent Owner : Commonwealth Scientific and Industrial Research Organisation  
  
Conf. No. : 8963  
  
For : GENETIC CONSTRUCTS FOR DELAYING OR REPRESSING THE EXPRESSION OF A TARGET GENE

30 Rockefeller Plaza  
20th Floor  
New York, New York 10112  
April 29, 2011

**By EFS Web**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

**PETITION UNDER 37 C.F.R. §1.324 TO CORRECT INVENTORSHIP AND REQUEST FOR A CERTIFICATE OF CORRECTION**

Patent Owner respectfully requests that the inventorship listed on the above-identified Patent and Reexamination Certificate be corrected. Specifically, Patent Owner petitions that Peter Michael Waterhouse be added as an inventor on the subject patent.

Inventors : Michael Wayne Graham, Peter Michael Waterhosue and Robert Norman Rice  
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A Petition under 37 C.F.R. §1.324 requires compliance with the following provisions of 37 C.F.R. §1.324(b) :

- (1) a statement from each person who is being added as inventor that the inventorship error occurred without any deceptive intention on his or her part;
- (2) a statement from the current named inventors who have not submitted a statement under paragraph (b)(1) either agreeing to the change of inventorship or stating that they have no disagreement in regard to the requested change;
- (3) a statement from all assignees of the parties submitting a statement under paragraphs (b)(1) and (b)(2) agreeing to the change of inventorship in the patent, which statement must comply with the requirements of §3.73(b); and
- (4) the fee set forth in §1.20(b).

In compliance with 37 C.F.R. §1.324(b)(1), Patent Owner attaches as **Exhibit A** a Statement of Peter Michael Waterhouse Under 37 C.F.R. 1.324(b)(1).

In compliance with 37 C.F.R. §1.324(b)(2), Patent Owner attaches as **Exhibits B** and **C**, respectively, a Statement of Michael Wayne Graham Under 37 C.F.R. §1.324(b)(2) and a Statement of Robert Norman Rice Under 37 C.F.R. §1.324(b)(2).

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Michael Wayne Graham and Robert Norman Rice are the currently listed inventors of the above-identified patent. Michael Wayne Graham was listed as an inventor upon filing of the subject application. Robert Norman Rice was added as an inventor by a Petition Under 37 C.F.R. §1.324 filed July 10, 2003. A Decision granting the Petition was issued September 16, 2003. Patent Owner attaches copies of the Petition and the Decision as **Exhibits D and E**, respectively. However, a Certificate of Correction was not previously issued listing Michael Wayne Graham and Robert Norman Rice as inventors of the subject patent.

In compliance with 37 C.F.R. §1.324(b)(3), Patent Owner attaches as **Exhibit F** a statement of Consent Of Assignee Under 37 C.F.R. §3.73. Commonwealth Scientific and Industrial Research Organisation is the current assignee of the entire right, title, and interest in and to the subject Patent. An Assignment of the entire right, title, and interest, in and to the subject patent from the inventor being added, Peter Michael Waterhouse, to Commonwealth Scientific and Industrial Research Organisation is being submitted for recordation concurrently herewith. A copy of the Assignment is attached hereto as **Exhibit G**.

The fee set forth in 37 C.F.R. §1.20(b) is one hundred thirty dollars (\$130.00), and the Commissioner is hereby authorized to charge the amount of this fee to Deposit Account No. 03-3125.

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Accordingly, this Petition is in compliance with 37 C.F.R. §1.324 as each of the requirements of 37 C.F.R. §1.324(b) have been met.

Patent Owner respectfully requests that this Petition be granted.

Upon grant of this Petition, Patent Owner hereby respectfully requests that a Certificate of Correction be issued to list **Michael Wayne Graham, Peter Michael Waterhouse, and Robert Norman Rice** as the inventors on the above-identified patent. Patent Owner attaches as **Exhibit H** a completed Form PTO/SB/44 which indicates the addition of Peter Michael Waterhouse and Robert Norman Rice as inventors of the subject patent.

No fee, other than the \$130.00 petition fee, is deemed necessary in connection with the filing of this Petition. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account 03-3125.

Respectfully submitted,



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Certificate of Transmission	
I hereby certify that this correspondence is being transmitted via the Electronic Filing System (EFS) to the U.S. Patent and Trademark Office on April 29, 2011.	
 Adam C. Krol Date Reg. No. 64,351	